

From: grish.org
To: Donald.Williams/R6/USEPA/US@EPA
Cc: grish.org; Gloria-Small.Moran/R6/USEPA/US@EPA; Carlos.Sanchez/R6/USEPA/US@EPA
Subject: Fwd: EPA's Shawn Ghose to PRP McKesson's Jean Mescher: "Jean : Please delete this after reading."
Date: 05/03/2012 04:14 PM
Attachments: [20120419 Sanchez to Grisham Junior - Complete.pdf](#)
[Excerpt Mescher report Ozone Injection Pilot Study for Arkwood.pdf](#)
[2005 Pilot Study Proposal sans cover.pdf](#)
[20050722 EPA Ghose to McKesson Mescher .pdf](#)
[9302044.pdf](#)
[9302079.pdf](#)
[9302132.pdf](#)
[Third Five Year Review Cover Page.pdf](#)
[9302051.pdf](#)
[9302121.pdf](#)
[9302124.pdf](#)
[9302065.pdf](#)
[9302066.pdf](#)
[9302117.pdf](#)
[9302123.pdf](#)
[9156352.pdf](#)
[9302113.pdf](#)
[9302056.pdf](#)
[9302008.pdf](#)
[9302067.pdf](#)
[9302106.pdf](#)
[9302107.pdf](#)
[9302115.pdf](#)
[9302120.pdf](#)

Don,

I didn't copy you on the forwarded message originally because I wasn't sure you're involved in Arkwood anymore.

I respect that everyone there is extremely busy and going through a hard time, but last time I wrote Carlos formally on time-sensitive and very serious matters, it took over four and one-half months for him to respond (and then only after very unpleasant escalation on my part, which I dislike being forced to pursue.)

Then his April 19, 2012 response to my November 30, 2011 inquiry was filled with inaccuracy and misstatement, which to me was revealing that Carlos is not in possession of the facts of the matter, or hasn't absorbed them.

Carlos misspeaks seriously in his April 19, 2012 response, even when the refuting data is in the record to which he has access, as it resides at EPA Region 6.

So now I am laboriously composing a reply to that, with data tables, calculations, quotations etc. to expose each and every misstatement. This activity involves more backtrack work for me and EPA, costing significant time and energy that could be spent on redeveloping the Arkwood site.

It is a waste of resources to conduct the matter in this way, and doing so also has a higher risk of failed outcome, in my belief.

By my calculations, and based on McKesson Director of Environmental Services Jean Mescher's own reported data (attached), the ozone generator which is integral to Mescher's "pilot study" or "Ozone Pilot System" located onsite at Arkwood has been in failure state (producing zero ozone for injection) for cumulatively more than 37% (2.3 years) of its existence (6 years, 2 months).

The proposal itself, as volunteered by Mescher in 2005, contains no citations to support its pseudo-scientific hypothesis, no study protocols, none of the key elements of a "pilot study," and its author (Shaun Pierson) was of unspecified credential, operating "Pierson Process Technology" out of a residence and P.O. Box in Santa Clarita, California.

That is not a valid "pilot study." That is McKesson deceptively usurping control of the Arkwood site under false pretenses, in an ongoing attempt to wrest away my family's land, while EPA (in the form of Shawn Ghose) is used as a willing pawn in the scheme.

By 2005, when Mescher volunteered and proposed to expand the remedy from just the offsite plant to include the operations onsite (when the current remedy was effective and no agency requested change,) Arkwood was "construction complete," and McKesson no longer had any valid reason to prevent my father from accessing the Arkwood site or from applying to EPA for reuse of the site. In my belief, that is why Mescher came up with the "pilot study:" to reassert and expand McKesson control of my family's land.

McKesson's documented tactics were and are to encumber the site as much as possible and to threaten my family continually while pressuring my family to accept McKesson's \$25,000 offer for this valuable industrial site located on the railroad, which is now listed at \$950,000 and in which the Arkansas Industrial Development Commission is very interested.

Shawn Ghose's conduct as EPA Remedial Project Manager for the Arkwood site has materially harmed my family, and it continues to do so. I want Mr. Ghose taken off the project.

The time delays at EPA are hurting the redevelopment effort for Arkwood. One prospect after the next grows cold on the idea of redeveloping the Arkwood site for industrial reuse under Brownfield Law, because there is no clear prospect for resolution of the pending issues that impede reuse and redevelopment for Arkwood.

Please see Carlos's attached April 19, 2012 response (complete and excerpted), which included highly significant documents. These documents were specifically and directly responsive to my earlier FOIA request but were not included with the EPA response to that request for all information on the "pilot study."

It has not been explained to me how or why those responsive documents were withheld from me.

Can you suggest anything to get Arkwood out of its limbo and get the big questions about agency conduct and scientific integrity at Arkwood finally and clearly answered?

Thank you,

Curt

Begin forwarded message:

From: "grish.org" <curt@grish.org>

Date: April 19, 2012 3:07:47 PM PDT

To: Carlos Sanchez <Sanchez.Carlos@epamail.epa.gov>

Cc: "grish.org" <curt@grish.org>, Gloria-Small Moran <Moran.Gloria-Small@epamail.epa.gov>

Subject: EPA's Shawn Ghose to PRP McKesson's Jean Mescher: "Jean : Please delete this after reading."

Dear Carlos,

Please see the attached documents for reference.

As I said to you today, I have a huge problem with any Federal employee who would issue an email from a government email account to a private corporation beginning with the following sentence in bold:

"Please delete this after reading."

The above is a quote from EPA RPM Shawn Ghose to PRP McKesson Corporation's employee Jean Mescher in his email to her of June 21, 2011 regarding extremely important and technical information that materially affected the outcome of the Third Five-Year Review Report for the Arkwood Inc. Superfund site.

I attach also Jean Mescher's reply to Shawn Ghose's secretive inquiry, wherein Ms. Mescher literally dictates to Mr. Ghose by inserting in block letters the language he is to use for edits to the draft Third Five-Year Review Report.

The contents of this and other attached emails also exhibit Mr. Ghose's inexcusable personal ignorance of the most basic details regarding the Arkwood site remediation project, for which Mr. Ghose has had primary EPA responsibility for many years.

As the emails show, Mr. Ghose from the start allowed and encouraged Mr. Mescher to originate, author and otherwise control the Third Five-Year Review Report for Arkwood from first draft through all its revision, with a demonstrably negative material impact upon the site's viability for future reuse.

Ms. Mescher dictated to Mr. Ghose the form of the final version of the Third Five-Year Review Report for Arkwood, as Mr. Ghose repeatedly asked in writing for Mr. Mescher to supply language and to approve various changes and additions to the final version (examples attached.)

A particularly disturbing example (attached) is Ms. Mescher's email to Mr. Ghose of March 21, 2011, wherein Ms. Mescher asks:

"Shawn,

I know that we're running out of time but do you want me to modify the draft five-year report to incorporate the ADEQ comments or certain of their comments?

Jean"

The next day, on March 22, 2011, Mr. Ghose writes to Ms. Mescher:

"No time has run out."

Comments on the draft Third Five-Year Review Report from ADEQ, from EPA management and from myself were systematically and willfully ignored and excluded by Mr. Ghose from the final version of the Third Five-Year Review Report.

Mr. Ghose supplied Ms. Mescher with the cover page (attached) to place on the Third Five-Year Review Report, the source document for which Ms. Mescher possessed and controlled throughout the production process.

This cover page clearly states: "Prepared By Region 6 United States Environmental Protection Agency Dallas, Texas" even though the document was prepared by Jean Mescher, employee of PRP McKesson Corporation.

There are other examples of Mr. Ghose's failures of trust, integrity and competency documented within the some 225 documents provided to me as responsive to my Freedom of Information Act request to EPA.

I ask that Shawn Ghose immediately be removed as Arkwood RPM and replaced with an EPA RPM who will perform her or his duties in an unbiased, diligent and incorruptible manner.

I ask that you review all of the documents that were provided to me responsive to my FOIA request 06-FOI-00121-12, with particular regard for those authored or received by EPA employee Shawn Ghose or by PRP McKesson Corporation's Jean Mescher.

I ask that disciplinary proceedings be initiated against Shawn Ghose for any and all breaches of the public trust, violations of law or EPA policy, or failures of his fiduciary responsibility in the course of performing his duties at EPA, of which I believe I am providing irrefutable examples here.

Thank you,

Curt Grisham